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NOTICE OF ALLOWANCE AND ISSUE FEE DUE

TIMOTHY A CASSIDY
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700 E NORTH STREET
GREENVILLE SC 29602

IM62/0419

| APPLICATION NO. | FILING DATE | TOTAL CLAIMS | EXAMINER AND GROUP ART UNIT | DATE MAILED |
|-----------------------|-----------------------------------|--------------|-----------------------------|---------------|
| 09/033,827 | 03/03/98 | 018 | MCGUTHRY BANKS, T | 1742 04/19/00 |
| First Named Applicant | BROSAN, 35 USC 154(b) term ext. = | | | 0 Days. |

TITLE OF INVENTION: PROCESS FOR SEPARATING HAZARDOUS METALS FROM WASTE MATERIALS DURING VITRIFICATION

| ATTY'S DOCKET NO. | CLASS-SUBCLASS | BATCH NO. | APPLN. TYPE | SMALL ENTITY | FEE DUE | DATE DUE |
|-------------------|----------------|-----------|-------------|--------------|----------|----------|
| 1 CXU-272 | 075-407.000 | L32 | UTILITY | YES | \$605.00 | 07/19/00 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:**I. Review the SMALL ENTITY status shown above.**

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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| | | | |
|-------------------------------|-------------------------|---------------------------------|--------------------------------|
| APPLICATION NO. 09/033,027 | FILING DATE 03/03/98 | FIRST NAMED INVENTOR BROSNAN | ATTORNEY DOCKET NO. EXU-272 |
|-------------------------------|-------------------------|---------------------------------|--------------------------------|

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IM62/0419

EXAMINER
MCGUTHRY BANKS, T

ART UNIT
1742

PAPER NUMBER

DATE MAILED:

04/19/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Notice of Allowability

Application No.

09/033,827

Examiner

Tima M. McGuthry-Banks

Applicant(s)

BROSAN, DENIS A.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

1. ☒ This communication is responsive to 6 March 2000.
2. ☒ The allowed claim(s) is/are 1-5,7-14 and 16-20.
3. ☐ The drawings filed on _____ are acceptable.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of the CERTIFIED copies of the priority documents have been
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number). _____.
3. ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

5. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

A SHORTENED STATUTORY PERIOD FOR REPLY to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office Action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be available under the provisions of 37 CFR 1.136(a).

6. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
7. ☐ Applicant MUST submit NEW FORMAL DRAWINGS
- (a) ☐ because the originally filed drawings were declared by applicant to be informal.
- (b) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review(PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No. _____.
- (c) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the examiner.
- (d) ☐ including changes required by the attached Examiner's Amendment / Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

8. ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE / SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

- 1 ☒ Notice of References Cited (PTO-892)
- 3 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 5 ☐ Information Disclosure Statements (PTO-1449), Paper No. _____.
- 7 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 2 ☐ Notice of Informal Patent Application (PTO-152)
- 4 ☐ Interview Summary (PTO-413), Paper No. _____.
- 6 ☐ Examiner's Amendment/Comment
- 8 ☒ Examiner's Statement of Reasons for Allowance
- 9 ☐ Other

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11 B
4/13/00

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Timothy Cassidy on 11 April 2000.

The application has been amended as follows: in Claim 10, "vaporized metals comprise a material" was deleted and replaced with -- at least one volatile metal -- in line 2.

2. The following is an examiner's statement of reasons for allowance: Titus et al (U.S. 3,812,620) discloses a method for separating and converting heterogeneous and primarily solid waste materials or refuse from residential, commercial, agricultural, or industrial sources in an air-tight furnace. Gases formed by the pyrolysis of organic material pass through the exhaust and are collected outside of the furnace to be used as fuel (column 6, lines 2-21). Glass and molten metal are formed in the furnace and are tapped separately (lines 33-37). However, the prior art of record does not specifically disclose or suggest the combined teachings of treating hazardous waste, that substantially all volatile metals are vaporized and withdrawn with the flue gases, and that the glass content is substantially free of volatile metals.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tima M. McGuthry-Banks, whose telephone number is 703-308-1917. The examiner can normally be reached on 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden, can be reached on 703-308-4037. The fax numbers for the organization where this application or proceeding is assigned are 703-305-3599 for regular communications and 703-305-7719 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist, whose telephone number is 703-308-0651.

tmm *tmm*
April 13, 2000

Melvin Andrews
MELVIN ANDREWS
PRIMARY EXAMINER
GROUP 1300